

Remarks

As an initial matter, the foreign references that were missing from the Information Disclosure Statement filed on October 21, 2005, are now being submitted in the Supplemental Information Disclosure Statement being filed separately herefrom.

The specification has been amended to ensure consistent use of reference numerals. No new matter is being introduced.

After entry of the subject Amendment, claims 14-20 will remain in the application with claims 14 and 16 being in independent form. Claims 3-4 have been canceled and claims 15-16 are currently withdrawn. Claim 14 is being amended and claims 17-20 have been added. Claims 1-2 and 5-13 were previously canceled.

Claims 14 and 3-4 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Bunker (WO 98/26191) in view of Murata et al. (U.S. Patent No. 5,826,683). In particular, the Examiner contends that Bunker discloses all of the limitations of the claims except for the use of an electric actuator. The Examiner cites Murata et al. for the use of an electric actuator and contends that it would be obvious to utilize the electric actuator of Murata et al. in the assembly of Bunker.

Murata et al. discloses the use of an electric actuator having a magnetostrictive element whose length varies with magnetostriction when a magnetic field is applied. Applicant has amended independent claim 14 to distinguish this claim over Murata et al. In particular, claim 14 now requires a rotating electric actuator having a stator and a rotor. Murata et al. does not disclose, suggest, or teach this type of electric actuator. Accordingly, the § 103(a) rejection of claim 14 is believed overcome.

Dependent claims 3 and 4 have been canceled and replaced with dependent claims 17-20. Claims 17-20 set forth various additional unique features of the electric actuator of the subject invention, which are likewise not disclosed, suggested, or taught by the prior art of record.

Applicant respectfully submits that the Application, as amended, is now presented in condition for allowance, which allowance is respectfully solicited. The Commissioner is authorized to charge Deposit Account No. 50-0831, Delphi Technologies, Inc., for any fees, or credit the account for any overpayment.

Respectfully submitted,



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CERTIFICATE OF MAILING

The undersigned hereby certifies that this document is being deposited with the United States Postal Service in an envelope as first class mail addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 2, 2006, 2006.



Suzanne Britt